

FILED
DISTRICT COURT OF GUAM

FEB 21 2007 *nbc*

IN THE UNITED STATES DISTRICT COURT
FOR THE
TERRITORY OF GUAM

MARY L.M. MORAN
CLERK OF COURT

UNITED STATES OF AMERICA,) MAGISTRATE CASE NO. 04-00024-001
Plaintiff,)
)
vs.) SPECIAL REPORT
)
JOSEPH KUMIYAMA CASTRO, SR.)
Defendant.)
)

Re: Request for Early Termination from Supervised Release

Joseph Kumiyama Castro was sentenced on April 6, 2005 in the District Court of Guam for Count I: Unlawful Taking of Wildlife, in violation of 16 U.S.C. § 3372(a)(3)(A) and 18 U.S.C. §§7(3) and 13; and Count II: Entering Military Property, in violation of 18 U.S.C. §1382. He was sentenced to a two-year term of probation with conditions to include: that he pay a special assessment fee of \$20; a \$50 fine; comply with the standard conditions of probation as set forth by the U.S. Sentencing Commission; perform 200 hours of community service under the direction of the U.S. Probation Office; and not enter any military establishments for the duration of his probation term.

In May 2006, Joseph Castro's wife, Julia Castro, was diagnosed with a medical condition cervical cancer and referred to the Good Samaritan Hospital in Los Angeles, California, for treatment. Due to financial constraints, Mr. Castro was unable to obtain airline tickets for him and his minor son to accompany his wife. Mr. Castro was permitted to travel to Los Angeles, California, on August 7, 2006. Upon his arrival, Mr. Castro reported to the Central District of California, U.S. Probation Office, where he has been under the supervision of U.S. Probation Officer Mahogany Thomas. Mr. Castro has maintained residence provided by the Good Samaritan Hospital. According to Officer Thomas, Mr. Castro's wife has undergone treatment and is deemed to be in better health. Mr. Castro has notified Officer Thomas of his intentions to relocate to San Diego, where he has secured employment as a truck driver.

Mr. Castro satisfied his \$20 special assessment fee on August 3, 2005, his \$50 fine on November 7, 2005, and completed the 200 hours of community service on March 2, 2006. Mr. Castro's offense is a misdemeanor and he has shown stable community

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reintegration in that he has had no recent record of arrests or convictions. There are no identifiable risks to the safety of any individual or to the public. Mr. Castro has been in full compliance with all of the conditions of his probation term.

In light of the above information, this Officer respectfully requests early termination by the court, pursuant to 18 U.S.C. §3583(e)(1), as such action is warranted by Mr. Castro's full compliance with his conditions of release, and is in the interest of justice. This request for early termination comes as a joint recommendation from Special Assistant U.S. Attorney Kristin St. Peter.

RESPECTFULLY submitted this 2¹/₂ day of February 2007.

FRANK MICHAEL CRUZ
Chief U.S. Probation Officer

By:

Judy Anne L. Ocampo
JUDY ANNE L. OCAMPO
U.S. Probation Officer

Reviewed by:

ROSSANNA VILLAGOMEZ-AGUON
U.S. Probation Officer
Supervision Unit Leader

cc: Kristin St. Peter, SAUSA
John Gorman, FPD
USPO Mahogany Thomas, Central District of California
File